

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BETTY ANNE WATERS, as) Administratrix of the Estate of) KENNETH WATERS,)) Plaintiff,) v.)) TOWN OF AYER, NANCY) TAYLOR-HARRIS, ARTHUR) BOISSEAU, BUDDY DECOT,) WILLIAM ADAMSON,) PHILIP L. CONNORS,) JOHN AND JANE DOES 1-16,)) Defendants.)	CIVIL ACTION NO. 04-10521-GAO
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ORDER

This matter is before the court on plaintiff's motion to amend the scheduling order (Docket No. 108). Therein, plaintiff is seeking to extend the time in which she is to respond to the defendants' pending motions to strike plaintiff's experts until she files her opposition to the defendants' motion(s) for summary judgment. The motion to amend is based on the grounds that her responses will involve marshaling facts in a substantially similar manner to her opposition to the defendants' motion(s) for summary judgment, and the court should evaluate the factual record only once. While this court agrees that duplication of effort on the part of the parties as well as the court should be avoided if possible, some of the motions to strike raise issues sufficiently distinct from any record

analysis that they are ripe for adjudication now. Therefore the motion to amend is ALLOWED IN PART and DENIED IN PART as follows:

1. The opposition to Defendants' Motion to Strike the Plaintiff's DNA Experts Dr. Edward T. Blake and Dr. Sudhir K. Sinha (Docket No. 103) shall be filed by October 15, 2007.
2. The opposition to Defendants' Motion to Strike the Plaintiff's Polygraph Expert Charles R. Honts (Docket No. 104) shall be filed by October 15, 2007.
3. The opposition to Defendants' Motion to Strike the Plaintiff's Fingerprint Expert Ron Smith (Docket No. 105) shall be filed along with plaintiff's opposition to defendants' motion for summary judgment.
4. With respect to Defendants' Motion to Strike the Plaintiff's Police Practices Expert Lou Reiter (Docket No. 106), the opposition to argument "A" (sufficiency of the report) shall be filed by October 15, 2007. The opposition to the remaining arguments shall be filed along with plaintiff's opposition to defendants' motion for summary judgment.

/ s / Judith Gail Dein
Judith Gail Dein
United States Magistrate Judge

DATED: September 25, 2007